

Message Text

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AMCONSUL DUSSELDORF
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UNCLAS STUTTGART 407

E. O. 11652: N/A
TAGS: CASC
SUBJ: W/W (ARRESTS): SCHEDULE OF VISITS TO PRISONERS

REFS: (A) BERLIN 671 (B) STUTTGART 381 (NOTAL)
(C) STATE 44228

1. WE HAVE READ WITH INTEREST BERLIN'S SUGGESTION OF THE
"CIRCUIT RIDER" APPROACH TO MEET THE PRISONER VISITATION
PROBLEM (REF A). AS BOTH THE EMBASSY AND THE DEPARTMENT ARE
WELL AWARE (REF B), CONGEN STUTTGART, WITH AN AVERAGE PRIS-
ONER POPULATION OF THIRTY-FIVE TO FORTY CONFINED IN FOURTEEN
PRISONS, IS MOST CONCERNED WITH THE PRISONER PROGRAM AND
MEETING ITS GOALS. WE HAVE CONSISTENTLY MAINTAINED THE
MONTHLY VISITATION SCHEDULE SINCE LAST OCTOBER AND HAVE
DEVELOPED WHAT WE CONSIDER TO BE AN EFFECTIVE LOCAL PRO-
GRAM. (THIS HAS ONLY BEEN DONE, HOWEVER, AT SOME SACRIFICE
TO OUR OTHER CONSULAR - ESPECIALLY "WALK-IN" - CLIENTELE.)
ON THE BASIS OF OUR EXPERIENCE SINCE OCTOBER AND ON
REFLECTION, WE SEE A NUMBER OF POTENTIAL MAJOR PROBLEMS TO
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THE "CIRCUIT RIDER" APPROACH. IT IS OUR SINCERE BELIEF THAT
BOTH PRISONER VISITATION AND PRISONER SERVICE IS BETTER
HANDLED BY AN OFFICER OR OFFICERS WHO FUNCTION AS A PART OF
THE CONSULATE TEAM.

2. FIRST, US PRISONERS IN GERMANY TEND TO CONCENTRATE NEAR
US MILITARY INSTALLATIONS, I.E IN AREAS WHERE THEY HAVE

FORMERLY SERVED. THUS, THE THREE MAJOR PRISONER CONCENTRATIONS ARE NEAR MUNICH, FRANKFURT AND STUTTGART. WE ESTIMATE THAT FOR THE FOURTEEN PRISONS IN STUTTGART'S CONSULAR DISTRICT, THE OPTIMUM VISITATION SCHEDULE FOR A "CIRCUIT RIDER" BASED OUTSIDE THE DISTRICT WOULD REQUIRE EIGHT TO TEN FULL WORKDAYS. WITH ADEQUATE STAFFING, THIS SCHEDULE CAN BE MET BY THE POST ITSELF WITHOUT PER DIEM OR ADDITIONAL VEHICULAR OR OTHER TRAVEL COSTS.

3. AS WE VISUALIZE A "CIRCUIT RIDER" SYSTEM, IT WOULD NOT ALLOW FOR AS MUCH FLEXIBILITY AS NOW EXISTS IN THE VISITATION PLAN, AND WE VIEW FLEXIBILITY AS AN ESPECIALLY IMPORTANT ELEMENT. NEW PRISONERS SHOULD BE VISITED AS SOON AFTER ARREST AS POSSIBLE. ATTENDANCE AT JUDICIAL PROCEEDINGS SHOULD ALSO BE PROVIDED FOR. IT SEEMS THAT A "CIRCUIT RIDER" WITH A LARGER NUMBER OF PRISONERS AND A MUCH LARGER AREA TO COVER WOULD HAVE A DIFFICULT TIME FITTING SUCH SPECIAL NEEDS INTO HIS SCHEDULE. AND IF TIME IS ACTUALLY FOUND, GREATER EXPENSE WOULD BE INVOLVED IF THE "CIRCUIT RIDER" HAD TO CHANGE ABRUPTLY HIS PLANS AND TRAVEL A GREAT DISTANCE TO VISIT A NEW PRISONER.

4. PRISONERS OCCASIONALLY NEED SERVICES OTHER THAN VISITS IN WHICH THE CONGEN MUST GET INVOLVED. INDEED, VISITATION IS ONLY ONE PART OF THE OVERALL PRISONER PROGRAM. WE HAVE EXPERIENCED A VISIT FROM A PRISONER'S SISTER WHO WAS ONLY ABLE TO STOP IN STUTTGART FOR ONE AFTERNOON, BUT WANTED TO SEE HER BROTHER AS WELL AS THE AMERICAN OFFICIALS INVOLVED. SPECIAL VISITATION PRIVILEGES, LOCAL TRANSPORTATION, ESCORT SERVICE - ALL HAD TO BE ARRANGED BY THE POST. ANOTHER RECENT UNCLASSIFIED

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CASE CALLED FOR THE CONGEN TO ARRANGE FOR AND ASSIST A PRISONER IN GOING TO HIS APARTMENT TO DISPOSE OF HIS BELONGINGS. IT IS DOUBTFUL WHETHER THE "CIRCUIT RIDER" SYSTEM WOULD ALLOW THE FLEXIBILITY TO PROVIDE SUCH SERVICES.

5. PRISONERS ALSO NEED A VARIETY OF CONSULAR SERVICES. WHEN A PRISONER IS RELEASED HE IS OFTEN DESTITUTE AND REQUIRES ASSISTANCE. WE ALSO OFTEN PROVIDE PASSPORT AND NOTARIAL SERVICES. SOMETIMES PRISONERS MAY BE ENTITLED TO SOCIAL SECURITY OR VETERANS BENEFITS AT WHICH TIME OUR POST FEDERAL BENEFITS SECTION BECOMES INVOLVED. PRISONERS ARE OFTEN THE SUBJECT OF INQUIRIES FROM FAMILIES IN THE US. ALL OF THESE SERVICES WOULD NEED TO BE PROVIDED FOR IN THE "CIRCUIT RIDER" SYSTEM.

6. WE HAVE FOUND THAT THE "PRISONER OFFICER" FUNCTIONS BEST AS A MEMBER OF THE CONSULAR SECTION AND THE CONGEN STAFF. PARTICULARLY WITH A LIMITED STAFF, HE CAN SUBSTITUTE FOR OTHER OFFICERS WHO ARE ABSENT BECAUSE OF LEAVE, ILLNESS OR ON OFFICIAL BUSINESS. WHILE NOT WISHING TO DETRACT FROM HIS

MAJOR RESPONSIBILITY, THE PRISONER OFFICER CAN ALSO TAKE CARE OF OTHER CONSULAR BUSINESS WHEN HE IS ON HIS ROUNDS IN THE DISTRICT. IN DISTRICTS WITH A LARGE US MILITARY PRESENCE (STUTTGART'S DISTRICT HAS FOURTEEN MILITARY PERSONNEL CENTERS WHICH COORDINATE WITH THE CONSULATE GENERAL ON PPT/CIT MATTERS), PRISON VISITS CAN BE COMBINED WITH LIAISON WITH THESE CENTERS. WHILE TRAVELLING TO SOME OF THE MORE FAR-FLUNG PRISONS, THE OFFICER HERE HAS PERFORMED NOTARIAL SERVICES, GIVEN VOTING INFORMATION, CANCELED VISAS, VISITED HOSPITALS AND DONE VETERANS ADMINISTRATION FIELDWORK. IT IS QUESTIONABLE THAT A "CIRCUIT RIDER" COULD BECOME SO INVOLVED IN THE AFFAIRS OF A DISTRICT.

7. THE LAST POINT ABOVE SUGGESTS THE WIDE AREA OF LOGISTICS, TRAVEL AND OFFICE SUPPORT WHICH COULD BECOME QUITE A PROBLEM IN A "CIRCUIT RIDER" SYSTEM. IT IS AT LEAST QUESTIONABLE WHETHER THE TELEPHONE, TRAVEL, PER DIEM, AND LODGING EXPENSES

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WOULD BE LESS THAN IN THE CURRENT SYSTEM. AT WORST, AN UNNECESSARY DUPLICATION IN TRAVEL AND EXPENSE COULD RESULT.

8. AS IS WELL KNOWN, THE GERMAN JUDICIAL AND PRISON SYSTEMS ARE ORGANIZED BY THE INDIVIDUAL STATES. THE PRESENT DIVISION OF PRISONER SERVICES AMONG THE CONSULATES GENERAL PROVIDES GOOD OPPORTUNITY TO COORDINATE PROBLEMS WHICH MIGHT ARISE WITH THE STATE GOVERNMENTS, ALONG WITH OTHER CONSULAR BUSINESS WHICH FREQUENTLY ARISES WITH THE JUSTICE AND INTERIOR MINISTRIES. THE PRESENT DECENTRALIZED SYSTEM ALSO ALLOWS FOR CLOSE LIAISON BETWEEN THE CONGEN AND LAWYERS WHO REPRESENT AMERICAN PRISONERS. BY ITS SIZE, A "CIRCUIT RIDER" SYSTEM WOULD JEOPARDIZE THESE POINTS OF CLOSE CONTACT.

9. IN SHORT, THE QUESTION IS THAT OF ADEQUATE STAFFING OF INDIVIDUAL POSTS TO MEET INDIVIDUAL NEEDS VERSUS A THEORETICAL STAFFING SCHEME TO MEET A COUNTRY-WIDE WORKLOAD. BASED ON OUR FOREGOING ASSESSMENT OF THE INTERRELATIONSHIP OF CONSULAR FUNCTIONS AND LIAISON WITH LOCAL AUTHORITIES WITHIN A CONSULAR DISTRICT, THE PRINCIPAL QUESTION REMAINS WHETHER A POST IS ADEQUATELY STAFFED TO PERFORM ALL ITS INTERRELATED CONSULAR FUNCTIONS - INCLUDING (AS STATED IN PARA 5, REF C) READJUSTMENT OF FUNCTIONS WITHIN THE CONSULAR AND OTHER SECTIONS IF NECESSARY.

JENKINS

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